BILL NO. Z-74-02-08

ZONING ORDINANCE NO. Z-Withdrawn

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. FF8

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated a R3 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. FF8 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

> 1 acre of land in the Northeast quarter of Section 20, Township 30 North, Range 12 East, more particularly described as follows:
> Beginning at a point 8 rods north of the southeast corner of the Northeast quarter of said Section 20; thence running west parallel with the south line of said quarter section 20 rods; thence north parallel with the east line of said quarter section 8 rods; thence east parallel with the south line of said quarter section 20 rods; thence south on the east line of said quarter section 8 rods, to the place of beginning, containing one acre, more or less

SECTION 2. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

John Nuckols
Councilman

Read the first time in full and on motion by Nuckols, seconded by V. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) ~~and Public Hearing to be held after due legal~~ notice, ~~at the Council Chambers, City-County Building, Fort Wayne, Indiana, on~~ ________, ~~the ________ day of ________________, 197____, at ________~~ ~~o'clock P.M., E.S.T.~~

Date: 2/12/74

Charlotte Westerman
CITY CLERK

Read the third time in full and on motion by ______________________________, seconded by ______________________________, and duly adopted, placed on its passage. Passed (LOST) by the following vote:

	AYES ____,	NAYS ____,	ABSTAINED ____,	ABSENT ____ to-wit:
BURNS	____	____	____	____
HINGA	____	____	____	____
KRAUS	____	____	____	____
MOSES	____	____	____	____
NUCKOLS	____	____	____	____
SCHMIDT, D.	____	____	____	____
SCHMIDT, V.	____	____	____	____
STIER	____	____	____	____
TALARICO	____	____	____	____

DATE: ______________________________

____
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No.________________ on the ________day of ______________, 197___.

ATTEST: (SEAL)

____
CITY CLERK

____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the ____ day of______________________________, 197______, at the hour of_____o'clock ________M., E.S.T.

____
CITY CLERK

Approved and signed by me this ______day of ____________________, 197____, at the hour of_______ o'clock __________M., E.S.T.

____
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on February 12, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-02-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance was set for May 3, 1974, and public hearing to be held on May 13, 1974; and,

WHEREAS, the area known as the "Fringe Area" will be under the County Plan Commission's jurisdiction as of April 29, 1974; and,

WHEREAS, the property to be rezoned is located in the "Fringe Area";

NOW THEREFORE, BE IT RESOLVED, that at their regular meeting of March 25, 1974, the City Plan Commission recommended that such proposed ordinance be withdrawn by the Petitioner, and resubmitted to the County Plan Commission;

BE IT FURTHER RESOLVED, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held March 25, 1974.

Certified and signed this
18th day of April, 1974.

George H. Roser

George H. Roser
Secretary

Bill No. Z-74-02-08

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance amending the City of Fort Wayne Zoning Map No. FF8

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance Withdrawn PASS.

John Nuckols - Chairman	John Nuckols
Vivian G. Schmidt - Vice-Chairman	Vivian G. Schmidt
William T. Hinga	William T. Hinga
Paul M. Burns	Paul M. Burns
Donald J. Schmidt	D J Schmidt

CONCURRED IN

DATE 4-23-74 CHARLES W. WESTERMAN, CITY CLERK

Prescribed by State Board of Accounts

A.E. BOYCE CO., MUNCIE, IND. GENERAL FORM NO. 352

RECEIPT

GENERAL FUND

№ 252

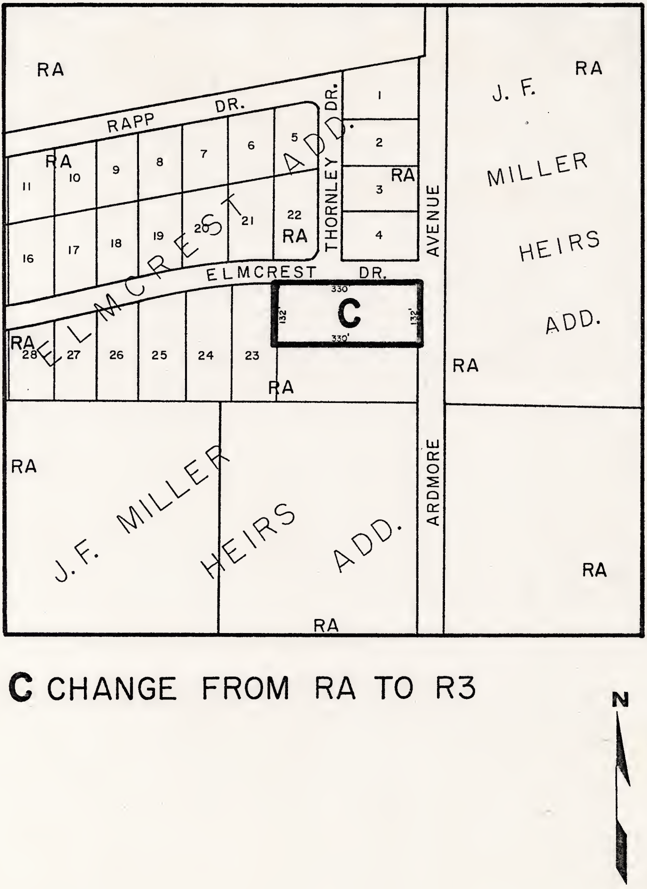
FT. WAYNE, IND., Jan 15 1974

RECEIVED FROM Gene + Marjorie Kunberger (Dorothy Eull / Fourkow) $ 50.00

THE SUM OF Fifty Dollars 00/100 DOLLARS

ON ACCOUNT OF 5000 Ardmore Ave

Velma Freeze
AUTHORIZED SIGNATURE



C CHANGE FROM RA TO R3

DATE: 1-15-74

ZONING ORDINANCE AMENDMENT
COUNCIL OF THE
OF FORT WAYNE, INDIANA

Receipt No. ______
Date Filed ______
Intended Use Offices

X/We Gene H. Kunberger and Marjorie E. Kunberger
(Applicant's Name or Names)
do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana, by reclassifying from X/an "RA" District to X/an "R-3" District the property described as follows:

1 acre of land in the Northeast quarter of Section 20, Township 30 North, Range 12 East, more particularly described as follows:
Beginning at a point 8 rods north of the southeast corner of the Northeast quarter of said Section 20; thence running west parallel with the south line of said quarter section 20 rods; thence north parallel with the east line of said quarter section 8 rods; thence east parallel with the south line of said quarter section 20 rods; thence south on the east line of said quarter section 8 rods, to the place of beginning, containing one acre, more or less.

(Survey Attached)

(Legal Description)

11-28-73

(General Description for Planning Staff Use Only)

X/We, the undersigned, certify that XXXm/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

(Name)	(Address)	(Signature)
Gene H. Kunberger	7703 Pinedale Drive Fort Wayne, Indiana	X Gene H Kunberger
Marjorie E. Kunberger	7703 Pinedale Drive Fort Wayne, Indiana	X Marjorie E Kunberger

Legal Description Checked By: ______
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the Office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

(Name)	(Address)	(Telephone Number)
G. Stanley Hood, Attorney	814 Anthony Wayne Bank Bldg. Fort Wayne, Indiana	422-8408

City Plan Commission, City-County Building, Room 800, One Main Street, Fort Wayne, Indiana 46802 Telephone Number 423-7571

CERTIFICATE OF SURVEY

OFFICE OF:

JOHN R. DONOVAN

REGISTERED PROFESSIONAL CIVIL ENGINEER No. 9173 INDIANA

REGISTERED LAND SURVEYOR No. 9921 INDIANA

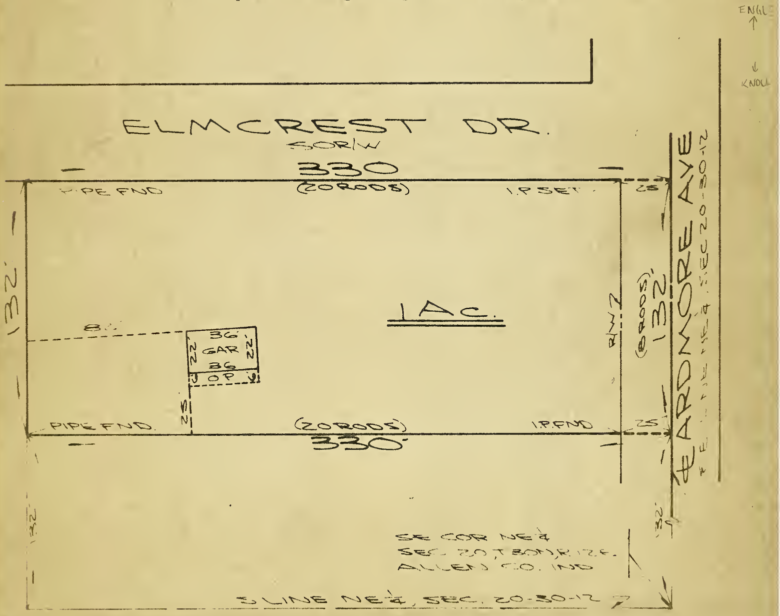
FORT WAYNE, INDIANA

The undersigned Civil Engineer and Land Surveyor hereby certifies that he has made a resurvey of the real estate shown and described below.

Measurements were made and corners perpetuated as shown hereon, in accordance with the true and established lines of the property described, and in conformity with the records in the office of the County Recorder, Allen County, Indiana. No encroachments existed, except as noted below.

The description of the real estate is as follows, to wit: 1 acre of land in the Northeast Quarter of Section 20, Township 30 North, Range 12 East, more particularly described as follows:

Beginning at a point 8 rods north of the southeast corner of the Northeast Quarter of said Section 20; thence running west parallel with the south line of said quarter section 20 rods; thence north parallel with the east line of said quarter section 8 rods; thence east parallel with the south line of said quarter section 20 rods; thence south on the east line of said quarter section 8 rods to the place of beginning, containing one acre more or less.



JOB FOR: KUNBURGER-HACKMEIR

1"=50'
11-19-73

JOHN R. DONOVAN

TOURKOW, DANEHY, CRELL, HOOD & GEHRING
ATTORNEYS AT LAW
814 ANTHONY WAYNE BANK BUILDING
FORT WAYNE, INDIANA 46802

FREDERICK R. TOURKOW
JACK D. DANEHY
MARVIN S. CRELL
G. STANLEY HOOD
RONALD K. GEHRING
JOSHUA I. TOURKOW

TELEPHONE
422-8408
AREA CODE 219

April 10, 1974

RECEIVED
APR 11 1974
FORT WAYNE CITY
PLAN COMMISSION

Mr. Gary F. Baeten
Land Use Administrator
City Plan Commission
8th Floor City County Building
One East Main Street
Fort Wayne, Indiana 46802

RE: Bill No. Z-74-02-08 - From "RA" to "R3"
Ardmore Avenue and Elmcrest Drive
Letter of Withdrawal

Dear Mr. Baeten:

This will acknowledge receipt of your letter under the date of April 1, 1974, reference the above matter.

Please consider in behalf of my clients, Gene and Marjorie Kunberger, that this is a letter of withdrawal reference the above petition.

Could you please send back our original $50.00 filing fee, and we shall refile the entire matter with the County.

Could we please hear from you in this regard no later than Wednesday, April 17, 1974.

Very truly yours,

TOURKOW, DANEHY, CRELL
HOOD & GEHRING

G. Stanley Hood

GSH/peo
CC: Gene Kunberger

Number assigned by Dave Keller's Office: # 3322

Admn. Appr.: V

DIGEST SHEET

Regulation

3-74-02-08

TITLE OF ORDINANCE Zoning Map Amendment Ordinance

DEPARTMENT REQUESTING ORDINANCE City Plan Commission

SYNOPSIS OF ORDINANCE Preparation of a zoning map amendment ordinance petition initiated by property owners to rezone property located as follows:

A parcel of ground, containing one (1) acre, more or less, located on the southwest corner of Ardmore Avenue and Elmcrest Drive.

From RA to R3

EFFECT OF PASSAGE Property is presently zoned "RA" - Suburban Residential. Petitioners are requesting an "R3" District which is multiple family use also, but permits offices and studios upon approval by the Board of Zoning Appeals.

EFFECT OF NON-PASSAGE Property would remain suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) NOne

ASSIGNED TO COMMITTEE (J.N.)